

DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

As a below-named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention (Design, if applicable) entitled: **DRY POWDER INHALER EXCIPIENT, PROCESS FOR ITS PREPARATION AND PHARMACEUTICAL**

COMPOSITIONS CONTAINING IT

the specification of which (check one):

☐ is attached hereto.

☐ was filed on November 30, 1999 as Application Serial No. 09/424,247.

☐ was filed on _____ as International Application (PCT) No. _____, and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to the examination of this application in accordance with *Title 37, Code of Federal Regulations, § 1.56*. I hereby claim foreign priority benefits under *Title 35, United States Code § 119* of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which the priority is claimed.

PRIOR FOREIGN APPLICATION(S)

NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED
97870065.6	Europe	7 May, 1997	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under *Title 35, United States Code, § 120* of any United States application(s) or PCT international application(s) designating The United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of *Title 35, United States Code, § 112*, I acknowledge the duty to disclose material information as defined in *Title 37, Code of Federal Regulations, § 1.56* which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

APPLICATION NUMBER	FILING DATE	STATUS (Patented, Pending or Abandoned)
PCT/BE98/00064	May 7, 1998	Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under *Section 1001 of Title 18 of the United States Code*, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: We hereby appoint as our attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: **Allan M. Lowe**, Registration Number 19,641; **Benjamin J. Hauptman**, Registration Number 29,310; **Michael G. Gilman**, Registration Number 19,114; **Kenneth M. Berner**, Registration Number 37,093; **Henry M. Zykorie**, Registration Number 27,477; **Randy A. Noranbrock**, Registration Number 42,940; and **William E. Beaumont**, Registration Number 30,996.

Send correspondence to: **LOWE HAUPTMAN GILMAN & BERNER, LLP**
CUSTOMER NO. 22429
 1700 Diagonal Road, Suite 300
 Alexandria, Virginia 22314

TELEPHONE CALLS TO:
William E. Beaumont
 (703) 684-1111

I hereby authorize the U.S. attorneys and agents named herein to accept and following instructions from _____ as to any actions to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U.S. attorneys will be so notified by the undersigned.

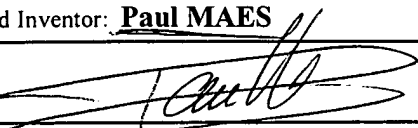
☒ See following page(s) for additional joint inventors.

Full name of sole or first inventor: Francis VANDERBIST	
Inventor's signature: _____	Date: _____
Residence: Alseberg Steenweg, 1116, 1650 Beersel, Belgium	
Citizenship: Belgium	
Post Office Address: Same as above	

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Full Name of Second Inventor: Paul MAES	Date: Oct 24th 02
Inventor's signature: 	
Residence: c/o Biovail Technologies, Ltd., 3701 Concorde Parkway, Chantilly, Virginia 20151	
Citizenship: Belgium	
Post Office Address: Same as above	

Full Name of Third Inventor: Phillippe R. BAUDIER	
Inventor's signature:	Date:
Residence: Rue Engeland 338, B-1180 Brussels, Belgium	
Citizenship: Belgium	
Post Office Address: Same as above	

Full Name of Forth Inventor:	
Inventor's signature:	Date:
Residence:	
Citizenship:	
Post Office Address:	

Full Name of Fifth Inventor:	
Inventor's signature:	Date:
Residence:	
Citizenship:	
Post Office Address:	

Full Name of Sixth Inventor:	
Inventor's signature:	Date:
Residence:	
Citizenship:	
Post Office Address:	

Declaration and Power of Attorney For Patent Application

Declaration Pour Demandes d Brevets Avec Pouvoirs

French Language Declaration

En tant qu' inventeur nommé ci-après, Je déclare par le présent acte que:

Mon nom, mon domicile, mon adresse postale, ma nationalité sont ceux qui figurent ci-après,

Je déclare que je crois être l'inventeur original, premier et unique (si un seul nom figure sur le présent acte) ou un des co-inventeurs, originaux et premiers (si plusieurs noms figurent sur le présent acte) du sujet revendiqué et pour lequel un brevet est demandé sur la base de l'invention intitulée:

dont la description
(cocher la case correspondante)

☐ est annexée au présent acte.

☐ a été déposée _____

Número de série de la demande _____

et modifiée le _____
(si approprié)

Je déclare par le présent acte avoir examiné et compris le contenu de la description identifiée ci-dessus, revendications y compris, et le cas échéant telle que modifiée par l'amendement cité plus haut.

Je reconnais le devoir de divulguer l'information qui est en rapport avec l'examen de cette demande selon Titre 37 du Code des Règlements Fédéraux §1.56(a).

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

DRY POWDER INHALER EXCIPIENT, PROCESS FOR

ITS PREPARATION AND PHARMACEUTICAL

COMPOSITIONS CONTAINING IT

the specification of which

(check one)

☐ is attached hereto.

☐ was filed on _____ as

Application Serial No. _____

and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

PTO/SB/105 (Rev. 5-95). Approved for use through 9/30/98. OMB 0651-0032. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE.
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

French Language Declaration

Je revendique par le présent acte avoir la priorité étrangère, en vertu du Titre 35, § 119(a)-(d) ou § 365(b) du Code des Etats-Unis, sur toute demande étrangère de brevet ou certificat d'inventeur ou, en vertu du Titre 35, § 365(a) du même Code, sur toute demande internationale PCT désignant au moins un pays autre que les Etats-Unis et figurant ci-dessous et, en cochant la case, j'ai aussi indiqué ci-dessous toute demande étrangère de brevet, tout certificat d'inventeur ou toute demande internationale PCT ayant une date de dépôt précédant celle de la demande à propos de laquelle une priorité est revendiquée.

Prior foreign application(s)

Demande(s) de brevet antérieure(s)

97870065.6 Europe

(Number) (Country)
(Numéro) (Pays)

(Number) (Country)
(Numéro) (Pays)

Je revendique par le présent acte tout bénéfice, en vertu du Titre 35, § 119(e) du Code des Etats-Unis, de toute demande de brevet provisoire effectuée aux Etats-Unis et figurant ci-dessous.

(Application No.) (Filing Date)
(N° de demande) (Date de dépôt)

(Application No.) (Filing Date)
(N° de demande) (Date de dépôt)

Je revendique par le présent acte tout bénéfice, en vertu du Titre 35, § 120 du Code des Etats-Unis, de toute demande de brevet effectuée aux Etats-Unis, ou en vertu du Titre 35, § 365(c) du même Code, de toute demande internationale PCT désignant les Etats-Unis et figurant ci-dessous et, dans la mesure où l'objet de chacune des revendications de cette demande de brevet n'est pas divulgué dans la demande antérieure américaine ou internationale PCT, en vertu des dispositions du premier paragraphe du Titre 35, § 112 du Code des Etats-Unis, je reconnais devoir divulguer toute information pertinente à la brevetabilité, comme défini dans le Titre 37, § 1.56 du Code fédéral des réglementations, dont j'ai pu disposer entre la date de dépôt de la demande antérieure et la date de dépôt de la demande nationale ou internationale PCT de la présente demande:

PCT/BE98/00064 7 MAY 1998
(Application No.) (Filing Date)
(N° de demande) (Date de dépôt)

(Application No.) (Filing Date)
(N° de demande) (Date de dépôt)

Je déclare par le présent acte que toute déclaration ci-incluse est, à ma connaissance, véridique et que toute déclaration formulée à partir de renseignements ou de suppositions est tenue pour véridique; et de plus, que toutes ces déclarations ont été formulées en sachant que toute fausse déclaration volontaire ou son équivalent est passible d'une amende ou d'une incarcération, ou des deux, en vertu de la Section 1001 du Titre 18 du Code des Etats-Unis, et que de telles déclarations volontairement fausses risquent de compromettre la validité de la demande de brevet ou du brevet délivré à partir de celle-ci.

I hereby claim foreign priority under Title 35, United States Code, § 119(a)-(d) or § 365 (b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below, by checking the box, and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed
Droit de priorité non revendiqué

7 MAY 1997
(Day/Month/Year Filed)
(Jour/Mois/Année de dépôt)

(Day/Month/Year Filed)
(Jour/Mois/Année de dépôt)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Status) (patented, pending, abandoned)
(Statut) (breveté, en cours d'examen, abandonné)

(Status) (patented, pending, abandoned)
(Statut) (breveté, en cours d'examen, abandonné)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

French Language Declaration

POUVOIR: En tant qu'inventeur, je désigne l'(les) avocat(s) et/ou l'(les) agent(s) suivant(s) pour poursuivre la procédure de cette demande et traiter toute affaire la concernant supris du Bureau des Brevets et de Marques:

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Norman F. Oblon, Registration Number 24,618; Marvin J. Spivak, Registration Number 24,913; C. Irvin McClelland, Registration Number 21,124; Gregory J. Maier, Registration Number 25,599; Arthur I. Neustadt, Registration Number 24,854; Richard D. Kelly, Registration Number 27,757; James D. Hamilton, Registration Number 28,421; Eckhard H. Kuesters, Registration Number 28,870; Robert T. Pous, Registration Number 29,099; Charles L. Gholz, Registration Number 26,395; Vincent J. Sunderdick, Registration Number 29,004; William E. Beaumont, Registration Number 30,996; Steven B. Kelber, Registration Number 30,073; Robert F. Gnuse, Registration Number 27,295; Jean-Paul Lavalleye, Registration Number 31,451; Stephen G. Baxter, Registration Number 32,884; Martin M. Zolick, Registration Number 35,745; Robert W. Hahl, Registration Number 33,893; Richard L. Treanor, Registration Number 36,379; Steven P. Weihrouch, Registration Number 32,829; John T. Goolkasian, Registration Number 26,142; Marc R. Labgold, Registration Number 34,651; William J. Healey, Registration Number 36,160; Richard L. Chinn, Registration Number 34,305; Steven E. Lipman, Registration Number 30,011; Carl E. Schlier, Registration Number 34,426; James J. Kulbaski, Registration Number 34,648; Catherine B. Richardson, Registration Number 39,007; Richard A. Neifeld, Registration Number 35,299; and J. Derek Mason, Registration Number 35,270; with full powers of substitution and revocation.

Adresser toute correspondance à:

Send Correspondence to:

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VIRGINIA 22202 U.S.A.

Adresser toute communication téléphonique à:
(Nom) (Numéro de téléphone)

Direct Telephone Calls to: (name and telephone number)

(703) 413-3000

Nom complet du seul ou premier inventeur <i>Vanderbist Francis</i>		Full name of sole or first inventor <i>Francis VANDERBIST</i>	
Signature de l'inventeur <i>Vanderbist Francis</i>	Date <i>27/09/98</i>	Inventor's signature	Date
Domicile		Residence <i>Avenue des Jardinets 18, B-1170 Brussels, Belgium BEX</i>	
Nationalité		Citizenship <i>Belgium</i>	
Adresse Postale		Post Office Address <i>same as above</i>	
Nom complet du second co-inventeur, le cas échéant		Full name of second joint inventor, if any <i>Paul MAES</i>	
Signature de l'inventeur	Date	Second Inventor's signature	Date
Domicile		Residence <i>Rue Robert Ledecq, B-1440 Wauthier Braine, Belgium</i>	
Nationalité		Citizenship <i>Belgium</i>	
Adresse Postale		Post Office Address <i>same as above</i>	

(Fournir les mêmes renseignements et la signature de tout co-inventeur supplémentaire.)

(Supply similar information and signature for third and subsequent joint inventors.)

French Language Declarati n

Nom complet de l'unique ou premier inventeur		Full name of third joint inventor, if any	
Signature de l'inventeur <i>Philippe BAUDIER</i> 9-26-99 Date		Third inventor's signature Date	
Domicile		Residence Avenue Blucher 10, B-1410	
Nationalité		Citizenship <u>Waterloo, Belgium</u> <u>BEX</u>	
Adresse Postale		Post Office Address	
		same as above	
Nom complet du second co-inventeur, le cas échéant		Full name of fourth joint inventor, if any	
Signature de l'inventeur Date		Fourth inventor's signature Date	
Domicile		Residence	
Nationalité		Citizenship	
Adresse Postale		Post Office Address	
Nom complet du second co-inventeur, le cas échéant		Full name of fifth joint inventor, if any	
Signature de l'inventeur Date		Fifth inventor's signature Date	
Domicile		Residence	
Nationalité		Citizenship	
Adresse Postale		Post Office Address	
Nom complet du second co-inventeur, le cas échéant		Full name of sixth joint inventor, if any	
Signature de l'inventeur Date		Sixth inventor's signature Date	
Domicile		Residence	
Nationalité		Citizenship	
Adresse Postale		Post Office Address	

(Fournir les mêmes renseignements et la signature de tout co-inventeur supplémentaire.)

(Supply similar information and signature for third and subsequent joint inventors.)